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MONTANA LEGISLATIVE HISTORY

Chapter 15 19 91

Bill H _____ S 20 Original bill & history ____C

H. Committee on Business & Economic Development		S. Committee on Business & Industry	
Hearing Date(s) Jan 28	✓ C	Hearing Date(s) Jan 10	✓ C
_____	____C	_____	____C
_____	____C	_____	____C
_____	____C	_____	____C
Date Out Jan 28	✓ C	Jan 10	✓ C

Did this bill originate in an interim committee? ____Yes ____No

Committee _____ Report _____

1/16	TABLED IN COMMITTEE		
2/22	TAKEN FROM TABLE		
2/23	COMMITTEE REPORT—BILL PASSED		
2/25	2ND READING PASSED	28	19
2/26	3RD READING PASSED	28	22
	TRANSMITTED TO HOUSE		
3/04	FIRST READING		
3/04	REFERRED TO AGRICULTURE, LIVESTOCK & IRRIG.		
3/19	HEARING		
3/20	COMMITTEE REPORT—BILL CONCURRED AS AMENDED		
4/05	2ND READING CONCURRED	72	27
4/06	3RD READING CONCURRED	72	24
	RETURNED TO SENATE WITH AMENDMENTS		
4/09	2ND READING AMENDMENTS CONCURRED	45	0
4/10	3RD READING AMENDMENTS CONCURRED	50	0
4/17	SIGNED BY PRESIDENT		
4/18	SIGNED BY SPEAKER		
4/18	TRANSMITTED TO GOVERNOR		
4/22	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 518	EFFECTIVE DATE: 7/01/91	

SB 20 INTRODUCED BY SWIFT

CLARIFYING PERMISSIBLE LOCATIONS OF BRANCH BANKS

12/27	INTRODUCED		
12/28	REFERRED TO BUSINESS & INDUSTRY		
1/07	FIRST READING		
1/10	HEARING		
1/11	COMMITTEE REPORT—BILL PASSED		
1/14	2ND READING PASSED	48	0
1/15	3RD READING PASSED	50	0
	TRANSMITTED TO HOUSE		
1/16	FIRST READING		
1/16	REFERRED TO BUSINESS & ECONOMIC DEVELOPMENT		
1/28	HEARING		
1/28	COMMITTEE REPORT—BILL CONCURRED		
1/30	2ND READING CONCURRED	96	3
1/31	3RD READING CONCURRED	95	1
	RETURNED TO SENATE		
2/04	SIGNED BY PRESIDENT		
2/04	SIGNED BY SPEAKER		
2/04	TRANSMITTED TO GOVERNOR		
2/08	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 15	EFFECTIVE DATE: 2/07/91	

SB 21 INTRODUCED BY GAGE

REQUIRE THAT THREE OF FIVE MEMBERS OF THE BOARD OF HORSERACING ARE RACEHORSE OWNERS, BREEDERS, OR OWNER-BREEDERS

12/27	INTRODUCED		
12/28	REFERRED TO BUSINESS & INDUSTRY		
1/07	FIRST READING		
1/16	HEARING		
1/22	COMMITTEE REPORT—BILL NOT PASSED AS AMENDED		
1/22	ADVERSE COMMITTEE REPORT ADOPTED	34	15

SB 22 INTRODUCED BY GAGE

ELIMINATE BOND FOR SPECIAL FUEL USERS

12/27	INTRODUCED
12/28	REFERRED TO TAXATION
1/07	FIRST READING

MINUTES

MONTANA SENATE
52nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS & INDUSTRY

Call to Order: By Chairman J.D. Lynch, on January 10, 1991, at 10:00 a.m.

ROLL CALL

Members Present:
J.D. Lynch, Chairman (D)
John Jr. Kennedy, Vice Chairman (D)
Betty Bruski (D)
Eve Franklin (D)
Delwyn Gage (R)
Thomas Hager (R)
Jerry Noble (R)

Members Excused: Gene Thayer (R)
Bob Williams (D)

Staff Present: Bart Campbell (Legislative Council).

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Announcements/Discussion: Senator Lynch announced that executive action for SB 2 initially planned for today, will be acted on Monday, January 14 on request of some people that couldn't attend the meeting today. Also in regards to SB 16 from January 9, 1991, a motion was made by Senator Gage that a request for a committee bill be made for section 19 and using the language submitted in amendment form by Mona Jamieson. A roll call vote was taken and the motion was passed.

HEARING ON SENATE BILL 20

Presentation and Opening Statement by Sponsor:

Senator Bernie Swift, district 32, opened with an amendment to a branch banking bill. This is to clarify that the intent of this is that we would not in any case be confronted with duplicating branches in cities, as found in this piece of legislation. There was some inadvertent changes in the legislative council when the final bill was formed that left a slight question as far as that matter was concerned. So the

reason of this is to be sure that we avoid any duplication of branches in cities as defined in this bill.

Proponents' Testimony:

John Cadby, with the Montana bankers association testified that the bill simply makes it clear that there is only branch in a barren town within the county or neighboring county of the headquarter bank. There is four branches that have been so created in the past two years since the 1989 session.

Opponents' Testimony:

None

Questions From Committee Members:

Senator Lynch wondered if this had any adverse affects on Butte, or Anaconda because they do not have counties and cities.

John Cadby answered by saying that this would not have any adverse affects on Butte or Anaconda. Butte and Anaconda both have banks in these cities.

Senator Noble wondered if the bill passed last year was a disaster to some portions.

John Cadby answered by saying the affect it has had today is the first bank system merged into one bank in Billings. So the first bank in Helena is technically a branch of the headquarter bank in Billings. The first interstate banks in Kalispell and Great Falls have merged into one bank in Kalispell. So the first interstate bank in Great Falls is now a branch of Kalispell.

Joe Thares, international independent bankers, commented that John covered the major activity of the bill with exceptions of maybe three that may merge in the future.

Senator Gage asked if there is a definition of city in the banking laws.

John Cadby answered by saying the definition of city in HB 151 means a city, town, or municipality incorporated or unincorporated that is an aggregation of inhabitance and structures sufficient to constitute a distinct place.

Closing by Sponsor:

Senator Swift asked to give the bill a due pass. By unanimous vote SB 20 was given a due pass.

HEARING ON AMENDMENTS ON SB 16

Presentation and Opening Statement by Sponsor:

Bart Campbell, researcher for Business and Industry, presented the amendments that he prepared (See Exhibit 1).

DATE 1/10/91

COMMITTEE ON BUSINESS & INDUSTRY

VISITORS' REGISTER

NAME	REPRESENTING	BILL #	Check One	
			Support	Oppos
Hudson Geary	MBA - Helena	SB 20	X	
Dave Barnhill	Insurance dept	SB 16 SB 2	X	
Mary McCue	MTB Helena	SB20	X	
Joe Thares	MT. IND. BANKERS	SB 20	X	
John T Cadby	MT Bankers Assn	SB 20	X	

ROLL CALL

BUSINESS & INDUSTRY COMMITTEE

52nd. LEGISLATIVE SESSION -- 1991 Date 1/10/91

NAME	PRESENT	ABSENT	EXCUSED
/Senator Bruski	X		
2 Senator Franklin	X		
3 Senator Gage	X		
4 Senator Hager	X		
8 Senator Kennedy	X		
9 Senator Lynch	X		
5 Senator Noble	X		
6 Senator Thayer		X	X
7 Senator Williams		X	X

Each day attach to minutes.

ROLL CALL VOTE

SENATE COMMITTEE Business and Industry

Date 1/10/91 Bill No. SB20 Time 10:00

NAME	YES	NO
Senator Bruski	X	
Senator Franklin	X	
Senator Gage	X	
Senator Hager	X	
Senator Noble	X	
Senator Thayer	X	
Senator Williams	X	
Senator Kennedy	X	
Senator Lynch	X	

Dara Anderson
Secretary

JD Lynch
Chairman

Motion: Due Pass SB 20

1987

STANDING COMMITTEE REPORT

January 10, 1991

MR. PRESIDENT:

We, your committee on Business and Industry having had under consideration Senate Bill 20 (first reading copy -- white), respectfully report that Senate Bill 20 do pass.

Signed: _____
John "J.D." Lynch, Chairman

SB 1/10 2:50

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MINUTES

MONTANA HOUSE OF REPRESENTATIVES
52nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS & ECONOMIC DEVELOPMENT

Call to Order: By REP. BOB BACHINI, CHAIRMAN, on January 28, 1991, at 8:00 a.m.

ROLL CALL

Members Present:
- Bob Bachini, Chairman (D)
- Sheila Rice, Vice-Chair (D)
- Joe Barnett (R)
- Brent Cromley (D)
- Alvin Ellis, Jr. (R)
- Stella Jean Hansen (D)
- Tom Kilpatrick (D)
- Dick Knox (R)
- Don Larson (D)
- Scott McCulloch (D)
- Bob Pavlovich (D)
- John Scott (D)
- Don Steppler (D)
- Rolph Tunby (R)
- Norm Wallin (R)

Members Excused: REPS. STEVE BENEDICT, TIM DOWELL, and H.S.'SONNY' HANSON.

Staff Present: Paul Verdon, Legislative Council
Jo Lahti, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Announcements/Discussion: SB 20, HB 203, and HB 196 were to be heard, and executive action taken on SB 20.

HEARING ON SENATE BILL 20

Presentation and Opening Statement by Sponsor:

SEN. GENE THAYER, presented SB 20 for SEN. BERNIE SWIFT, Sponsor. SEN. THAYER explained this is an Act clarifying permissible locations of branch banks. It is a clean-up bill to clarify the language of where a branch bank could be started. There was no opposition in the Senate hearing, and it passed the Senate on a 50-0 vote.

Proponents' Testimony:

John Cadby, Montana Bankers Association, said this is to clarify restrictive language in the branch banking bill passed last session. The bill was interpreted that a Billings bank could put a bank in Western Montana. It can be read two different ways. SB 20 is to eliminate any misunderstandings. No bank has attempted to put a branch across the state or in a parent city or county. There have only been five branches created, one each at Lolo, Troy, Gardiner, Frenchtown, and Florence. They are branches of independent banks within those counties.

Opponents' Testimony: None

Questions From Committee Members:

REP. KNOX asked about the language restricting branch bank sites. Mr. Cadby answered that paragraph was rewritten so it is perfectly clear you have to stay within your county or a neighboring county.

REP. SHEILA RICE asked if the word 'city' is what he meant. Would a branch bank have to be in a city? Mr. Cadby said it is very broad language. They spent hours last session trying to find a definition that would allow a branch to be established in a community, but not in the suburbs of a large town. That language was the agreed upon language with the Independent Bankers Association in the last session. It includes unincorporated towns like West or East Glacier. It doesn't include small communities.

Closing by Sponsor:

SEN. THAYER said this is a language cleanup bill to avoid future misinterpretation. SB 20 will put it in the format as was intended last session. REP. THOMAS is to carry SB 20 in the House. SEN. SWIFT urged favorable consideration.

HEARING ON HOUSE BILL 203

Presentation and Opening Statement by Sponsor:

REP. SHEILA RICE, HD 36, Great Falls, explained HB 203 provides clarity. There are two reasons for this bill. Section 1 asks that a mutual or stock insurance company be included as a regulated lender in Montana. Line 9, page 2 the words 'mutual or stock insurance company regulated by any state' are stricken because they would now fall under the definition of regulated lender. There are two reasons, one is to bring mutual or stock insurance companies into conformity with other statutes in Montana Codes; secondly, it would present a level playing field so all lenders, especially in the agricultural community, would be under the definition of regulated lenders. This bill is important. See the highlighted areas in EXHIBIT 1. (2) includes with the words state

Legislature, and publicize it and say this is what we are doing. Somebody must take the first step to get things moving.

REP. WALLIN asked if this will be ongoing. **REP. KILPATRICK** thinks this shouldn't go on forever. **REP. BACHINI** thought this should be part of the subcommittee consideration. They could make a sunset on the bill or make it permanent.

Closing by Sponsor:

REP. KILPATRICK closed reiterating that if only one industry develops from this that pays taxes and creates new jobs, it is worth it. He urged the committee to consider this and maybe something can be done.

REP. BACHINI appointed subcommittee members: **REPS. SHEILA RICE, Chair; BRENT CROMLEY; STELLA JEAN HANSEN; DON LARSON; STEVE BENEDICT; SONNY HANSON; NORM WALLIN.** The sponsor will work with this subcommittee. All economic bills will go to this subcommittee for fine tuning and discussion. We may be able to consolidate two or three as suggested.

EXECUTIVE ACTION ON SENATE BILL 20

Motion/Vote: **REP. WALLIN moved SB 20 BE CONCURRED IN.** Motion carried unanimously by those present. **REPS. PAVLOVICH, DOWELL, and BENEDICT WERE EXCUSED.**

ADJOURNMENT

Adjournment: 10:05 A.M.

Bob Bachini
REP. BOB BACHINI, CHAIRMAN

Jo Lahti
JO LAHTI, SECRETARY

BB/jl

HOUSE OF REPRESENTATIVES

BUSINESS AND ECONOMIC DEVELOPMENT COMMITTEE

ROLL CALL DATE January 28, 1991

NAME	PRESENT	ABSENT	EXCUSED
REP. JOE BARNETT	✓		
REP. STEVE BENEDICT			✓
REP. BRENT CROMLEY	✓		
REP. TIM DOWELL			✓
REP. ALVIN ELLIS, JR.	✓		
REP. STELLA JEAN HANSEN	✓		
REP. H.S."SONNY" HANSON			✓
REP. TOM KILPATRICK	✓		
REP. DICK KNOX	✓		
REP. DON LARSON	✓		
REP. SCOTT MCCULLOCH	✓		
REP. BOB PAVLOVICH	✓		
REP. JOHN SCOTT	✓		
REP. DON STEPPLER	✓		
REP. ROLPH TUNBY	✓		
REP. NORM WALLIN	✓		
REP. SHEILA RICE, VICE-CHAIR	✓		
REP. BOB BACHINI, CHAIRMAN	✓		

HOUSE STANDING COMMITTEE REPORT

January 28, 1991

Mr. Speaker: We, the committee on Business and Economic Development report that Senate Bill 20 (third reading copy -- blue) be concurred in .

Signed: _____
Bob Bachini, Chairman

Carried by: Rep. Thomas

HOUSE OF REPRESENTATIVES
VISITOR'S REGISTER

Business & Labor Cmte COMMITTEE BILL NO. LB 20

DATE Jan 23 1991 SPONSOR(S) Daggett

PLEASE PRINT PLEASE PRINT PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
T.K. Cady	Mt Bankers Ass	X	

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.